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Compilation on Cuba

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies

2. In 2013, the Committee on the Elimination of Discrimination against Women welcomed the accession of Cuba to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, both supplementing the United Nations Convention against Transnational Organized Crime.[3]

3. The same Committee encouraged Cuba to consider ratifying the treaties to which it was not yet a party, namely the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[4] In 2017, the Special Rapporteur on trafficking in persons, especially women and children, recommended that Cuba ratify the International Labour Organization (ILO) Protocol of 2014 to the Forced Labour Convention, 1930.[5]

4. In 2015, the Committee on the Rights of the Child recommended that Cuba ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Rome Statute of the International Criminal Court.[6] The Committee on the Elimination of Discrimination against Women encouraged Cuba to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.[7]

5. In 2017 the Committee on Enforced Disappearances invited Cuba to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or

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Degrading Treatment or Punishment. It also encouraged Cuba to recognize its competence to receive and consider individual and inter-State communications under articles 31 and 32 of the International Convention for the Protection of All Persons from Enforced Disappearance.[8]

6. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Cuba accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.[9]

7. In 2017, the Special Rapporteur on trafficking in persons and the Independent Expert on human rights and international solidarity conducted official visits to Cuba.[10]

8. In 2013 and 2016, Cuba made financial contributions to the Office of the United Nations High Commissioner for Human Rights (OHCHR).[11]

III. National human rights framework[12]

9. The Committee on Enforced Disappearances took note of the information provided by Cuba concerning the existence of an inter-institutional system guaranteeing that complaints of any human rights violation were addressed. It regretted, however, that Cuba had not established an independent national human rights institution in compliance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). [13] Two other Committees made similar recommendations.[14]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[15]

10. While noting the efforts Cuba had made, the Committee on the Elimination of Discrimination against Women urged it to adopt a comprehensive strategy to modify or eliminate patriarchal attitudes and stereotypes that discriminated against women. It also called upon Cuba to use temporary special measures to accelerate the substantive equality of women, particularly women of African descent, elderly women, women with disabilities and rural women.[16]

11. Referring to its concluding observations of 2011, the Committee on the Elimination of Racial Discrimination thanked Cuba in 2013 for the information provided on the legal framework applicable to discrimination, and requested additional information on cases of discrimination considered by the courts and on measures taken to facilitate access for victims of racial discrimination to judicial remedies in cases of racial discrimination. The Committee also took note of the efforts made by Cuba to promote the African heritage, and requested information on concrete measures taken to integrate a gender perspective into all policies and strategies aimed at combating racial discrimination.[17]

2. Development, the environment, and business and human rights[18]

12. In 2017, the Independent Expert on international solidarity stated that Cuba had demonstrated a long-standing tradition of solidarity with other countries that were working to overcome development challenges.[19] She noted that Cuba had strong partnerships with more than 30 countries, characterized by good practices it shared with the rest of the world, such as its literacy programme "Yo si puedo" (Yes I can) and the community physical activity project "Por la Vida" (Project for life), which had been replicated in numerous

countries. She praised Cuba for its outstanding responsiveness to health crises and natural disasters abroad.[20]

13. In 2015, the Secretary-General of the United Nations commended the role of Cuba as a guarantor country in assisting the peace process in Colombia.[21]

14. In 2014, the United Nations High Commissioner for Human Rights welcomed the developments towards normalizing the relationship between Cuba and the United States of America.[22] The United Nations country team indicated that the United States embargo continued to have a direct impact on the human development context in Cuba and that the recent policy concerning the relationship between the United States and Cuba included the restriction of some of the more flexible measures, including on travel and spending, that had been introduced previously.[23]

15. In 2017, OHCHR noted that, according to the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, the extraterritorial sanctions of the United States against Cuba had had a negative impact on the country's ability to trade with the outside world and access foreign currency and international markets, including its ability to purchase food, medicines and technology at competitive prices.[24] The same year, the United Nations General Assembly, recalling its previous resolutions on the matter, adopted resolution 72/4 on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.[25]

16. The United Nations country team noted that the Government had continued implementing the economic and institutional reorganization process known as the "updating process of the economic model". As part of that process, a number of institutional and structural changes had been implemented.[26]

B. Civil and political rights

1. Right to life, liberty and security of person[27]

17. The Committee on Enforced Disappearances noted that, although the death penalty remained on the statute books, it had not been imposed since 2003.[28]

18. The Committee recommended that Cuba incorporate enforced disappearance into national legislation as an autonomous offence, and characterize it as a crime against humanity. Emphasizing the continuous nature of enforced disappearances, the Committee recommended that measures should be taken to establish expressly that the term of limitation for criminal proceedings for such offences commenced from the moment when the enforced disappearance ceased. The Committee also recommended that domestic legislation should provide for a comprehensive system of reparation for victims that fully met international standards and encouraged Cuba to set up a procedure for obtaining a declaration of absence as a result of enforced disappearance.[29]

19. The Committee was concerned that, according to the Criminal Procedure Act, the power to order pretrial detention lay with the prosecutor, and noted that persons under arrest were not brought before a judge until the investigation process had been completed. It recommended that measures should be taken to ensure that all persons under arrest who were not released should be brought promptly before a judge for a hearing on the adoption of any measure entailing deprivation of liberty, and most particularly pretrial detention.[30]

20. The Committee noted with concern that, pursuant to the provisions of article 249 of the Criminal Procedure Act, a person deprived of liberty could establish communication with his or her defence counsel only from the time when an order had been made to apply any one of the authorized precautionary measures, the majority of which were imposed between the first 24 and 72 hours, rather than from the time when the deprivation of liberty commenced. It recommended that Cuba should guarantee that all persons deprived of liberty had access to a lawyer from the outset of the deprivation of liberty.[31]

21. The Committee noted the information concerning State and non-State agencies that could visit places where persons deprived of liberty were held. It observed, however, that

no specific independent mechanism had been established to carry out regular visits to all places where persons deprived of liberty were held and recommended that one should be established.[32]

22. In 2014, the Working Group on Arbitrary Detention welcomed the release of a number of detainees, announced after moves to normalize relations between Cuba and the United States had been made public.[33] In 2015, OHCHR noted that at least nine political prisoners had been released by the Cuban authorities, reportedly as part of the agreement between the two countries.[34]

23. The Committee on Enforced Disappearances encouraged Cuba to ensure that its legal framework was fully compliant with the International Convention for the Protection of All Persons from Enforced Disappearance.[35]

2. Administration of justice, including impunity, and the rule of law[36]

24. The Committee on Enforced Disappearances took note of the information concerning existing guarantees on the independence and impartiality of the courts. However, it observed that article 121 of the Constitution established the hierarchical subordination of the courts to the National Assembly and the Council of the State and expressed concern that such subordination could affect the independence of the courts. The Committee recommended that Cuba guarantee full independence of the judiciary and other branches of government.[37]

25. The Committee on the Elimination of Discrimination against Women remained concerned about the lack of effective access to justice for women and recommended that Cuba ensure women's access to justice, including through free legal aid and victim protection programmes. The Committee noted that Cuba had some institutions with certain powers to receive complaints. Nevertheless, it was concerned that existing mechanisms were not used by women, and recommended that Cuba ensure that women had easy and secure access to those institutions. It was also concerned about the absence of a complaint mechanism to report cases of discrimination and violations of women's human rights, and recommended establishing such a mechanism.[38]

26. The Committee on Enforced Disappearances noted with concern that in Cuba acts of enforced disappearance could fall under the jurisdiction of military courts, since such courts could try criminal cases for acts committed in military zones or in which a member of the military was accused. It recommended taking measures to ensure that investigations and trials of such acts remained expressly excluded from military jurisdiction in all cases and could be investigated and tried only in the ordinary courts. It also recommended that Cuba should expressly establish a mechanism to ensure that law enforcement or security forces whose members were suspected of involvement in the commission of an enforced disappearance did not participate in the investigation.[39]

3. Fundamental freedoms and the right to participate in public and political life[40]

27. In 2015, OHCHR stated that it had been particularly concerned about the short-term detention of political opponents, human rights activists and members of civil society organizations. OHCHR had received numerous reports over the previous four years of such detentions, without a warrant, especially in advance of certain meetings and events, apparently in order to prevent specific people from participating.[41] The same year, the United Nations High Commissioner for Human Rights urged the authorities to respect everyone's rights to freedom of expression and to peaceful assembly and association and to stop arbitrarily arresting people, in particular before, during and after peaceful demonstrations. He called for the release of all those who had been arbitrarily arrested.[42]

28. Several special procedure mandate holders sent communications to Cuba relating to, inter alia, allegations of harassment, intimidation and reprisals and, in certain cases, ill-treatment, arrests and violations of the rights to freedom of expression, assembly and peaceful association.[43] In its replies, the Government stated, inter alia, that the allegations were untrue and politically motivated and that the organizations and/or persons mentioned were not human rights defenders in Cuba.[44]

29. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted reports of intimidation and arrests of journalists working for non-State-run digital media. It also noted that Cuba did not have a freedom of information law, defamation remained criminalized and those who produced or circulated publications without indicating the origin or in non-compliance with the rules relating to publication could face imprisonment for up to one year and/or a fine. The authorities of the Cuban Institute of Radio and Television, the regulatory body for radio and television broadcasting, were appointed by the Government. UNESCO encouraged Cuba to foster a more pluralistic and independent media environment in accordance with international standards, to set up an independent broadcast regulator to award and administer broadcast licences, to introduce a freedom of information law in accordance with international standards, and to decriminalize defamation and subsequently incorporate it into the Civil Code, in accordance with international standards.[45]

30. The ILO Committee of Experts on the Application of Conventions and Recommendations noted the information provided by Cuba on the protective measures available, in the event of discrimination, to any workers who expressed ideas contrary to the regime. It recalled that, in protecting workers against discrimination in employment and occupation on the basis of political opinion, the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) implied that protection should be afforded to workers in respect of activities expressing or demonstrating opposition to the established political principles, even if certain doctrines were aimed at fundamental changes in the institutions of the State. The Committee of Experts trusted that Cuba would take the necessary measures to ensure that all workers, including independent journalists, were able to exercise their occupation freely and without discrimination based on political grounds, even if they expressed opinions contrary to the established order.[46]

4. Prohibition of all forms of slavery

31. The Special Rapporteur on trafficking in persons commended Cuba for its political will to address trafficking in persons, welcomed the strong focus of the Government on prevention and noted with pleasure the recently established national action plan to prevent and combat trafficking in persons and protect victims (2017–2020). However, she noted a number of challenges that needed to be addressed in order to effectively combat trafficking.[47]

32. The Special Rapporteur recommended that Cuba revise its anti-trafficking legal framework with clearly defined elements of trafficking, make it inclusive of all forms of trafficking, and extend the protection of children for sexually motivated crimes from 16 years of age up to the internationally recognized age of 18 years.[48] She also recommended that Cuba implement the national action plan with clearly defined objectives, adequately financed activities, delineated responsibilities and clear indicators, and expedite the establishment of the interministerial committee envisaged under the plan.[49]

33. The Special Rapporteur recommended that Cuba step up its efforts to investigate, prosecute and convict traffickers, and take urgent action to create public awareness about all forms of trafficking in persons, including forced labour, labour exploitation, sexual exploitation and the removals of organs. She also recommended that Cuba protect and assist all victims of trafficking and ensure that they were not criminalized as a result of the crimes or administrative violations they had committed relating to their exploitation.[50]

34. The ILO Committee of Experts encouraged the Government to continue taking measures to combat forced prostitution and trafficking in women for the purposes of sexual exploitation.[51] The Committee on the Elimination of Discrimination against Women called upon Cuba to address the root causes of trafficking and prostitution in order to address the vulnerability of girls and women to sexual exploitation and trafficking, and to ensure the rehabilitation and social integration of victims.[52] The Special Rapporteur on trafficking in persons noted that any fear of being punished was a major obstacle for victims of trafficking for the purposes of sexual exploitation to report the abuse they had suffered. She called for the social stigma surrounding prostitution and sex work to be removed, and for the closure of the so-called rehabilitation centres where women were detained, even though prostitution was not a crime.[53]

35. The Committee on the Rights of the Child recommended that Cuba strictly apply its zero-tolerance policy towards the trafficking and sexual exploitation of children, and monitor the stay of persons sought as offenders or suspected of child sexual abuse while in its territory. The Committee was concerned that child victims of sexual abuse might in practice be treated as offenders and stigmatized. It recommended that all child victims receive appropriate support for their recovery and reintegration.[54]

36. The Committee welcomed the measures to prevent child sex tourism and recommended that Cuba strengthen the knowledge and monitoring capacity of law enforcement officials regarding child sex tourism.[55]

37. The Committee urged Cuba to bring the Criminal Code into full compliance with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, by properly criminalizing all forms of sale of children and child pornography, and ensuring that the Code covered all children under the age of 18.[56]

38. The Committee was concerned that only a small percentage of cases of offences relating to the Optional Protocol led to prosecution and criminal sanctions. It recommended that Cuba fully investigate and prosecute all reported offences.[57]

5. Right to privacy and family life

39. The Committee on the Elimination of Discrimination against Women was concerned that the adoption of the draft Family Code had been postponed. It recommended that Cuba prioritize the adoption of the Code.[58]

40. The Committee was concerned that, although the minimum legal age of marriage was set at 18 years, a special authorization, not necessarily by a court, might be obtained for girls at 14 and boys at 16 years of age. It recommended that in exceptional cases of marriage below the age of 18, the same age limit be set for girls and boys, at 16 years of age, and that court authorization be required in all such cases.[59]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[60]

41. While noting the adoption of the new Labour Code, which provided that all citizens who were able to work had the right to obtain a job without discrimination on a number of grounds, the ILO Committee of Experts requested that Cuba amend the Code so that it defined and expressly prohibited direct and indirect discrimination on the basis of at least all the grounds set out in the ILO Discrimination (Employment and Occupation) Convention, including race, political opinion, national extraction and social origin. It also requested that Cuba take the necessary measures to ensure that in practice no information concerning political or religious opinion was sought from workers or students.[61]

42. While noting the Labour Code provisions aimed at ensuring equality between men and women in the employment sector, the Committee on the Elimination of Discrimination against Women remained concerned that the Code did not contain any provisions on the principle of equal pay for work of equal value or on sexual harassment in the workplace. It requested that Cuba ensure equal opportunities for women in the labour market and urged it to include in the Labour Code provisions on the principle of equal pay for work of equal value and on the prohibition of sexual harassment. The Committee also urged Cuba to encourage men to share parental responsibilities on an equal footing with women.[62]

2. Right to an adequate standard of living[63]

43. The Independent Expert on international solidarity noted that the Cuban food subsidy programme had been a significant factor in Cuba achieving the target of the Millennium Development Goals relating to the reduction of hunger and undernourishment to below 5 per cent since 2005.[64] In 2016 the Food and Agriculture Organization of the

United Nations (FAO) indicated that Cuba had the lowest incidence of low birth weight in the region (5.3 per cent).[65]

44. The United Nations country team stated that, according the 2016 *Regional Human Development Report for Latin America and the Caribbean*, the social achievements of Cuba had been higher than expected according to its level of per capita income.[66]

3. Right to health[67]

45. The Secretary-General of the United Nations praised the Cuban health-care system, rooted in primary health care, which yielded outstanding results — lower infant mortality, higher life expectancies and universal coverage. It was a model for many countries around the world.[68] The Independent Expert on international solidarity noted that the right to health protection and care was enshrined in the Cuban Constitution. The State guaranteed that right by providing free medical and hospital care in polyclinics and preventive and specialist treatment centres, along with free dental care, and by promoting health education and awareness, vaccinations and other measures to prevent the outbreak of disease.[69]

46. The Committee on the Elimination of Discrimination against Women was deeply concerned about teenage pregnancies and recommended that Cuba include comprehensive, age-appropriate programmes on sexual and reproductive health and rights as a regular part of school curricula with the aim of preventing teenage pregnancies and sexually transmitted infections.[70]

47. The Committee was concerned at the high rate of abortion, especially among girls as young as 12 years old. It called upon Cuba to increase access to, and the use of, effective and high-quality methods of contraception, improve the quality of sexual and reproductive health services and guarantee access to them for disadvantaged groups of women.[71]

48. In 2015, the World Health Organization (WHO) validated the elimination of mother-to-child transmission of HIV and syphilis in Cuba, the first country in the world to receive such validation.[72]

4. Right to education[73]

49. UNESCO noted that Cuba had achieved almost universal coverage in preschool education, universal primary education and almost universal coverage in secondary education without significant gender differences. Several measures had been introduced, including steps to reduce the student-teacher ratio, installation of computers in all schools and the use of technological teaching aids in every classroom. Cuba should be encouraged to monitor and evaluate those measures.[74]

50. While noting with satisfaction the achievements made in the area of women's and girls' education, the Committee on the Elimination of Discrimination against Women recommended that Cuba ensure equal access to secondary and tertiary education for girls and women, including those from minorities and disadvantaged groups. The Committee also recommended that Cuba encourage more women to apply for high-ranking posts within the education sector.[75]

51. In 2016, the Economic Commission for Latin America and the Caribbean (ECLAC) observed that in Cuba there was a smaller ethno-racial difference in access of young people to higher education or post-secondary education.[76]

52. The Committee on the Rights of the Child was concerned that children as young as 14 years of age could enrol in military schools and that the minimum age for entering a military school of higher education was 17. It recommended that Cuba ban military-type training, including the use of firearms, for children under the age of 18.[77]

D. Rights of specific persons or groups

1. Women[78]

53. While noting that national legislation included the prohibition of discrimination based on sex, the Committee on the Elimination of Discrimination against Women remained concerned that Cuba had failed to incorporate in its legislation a comprehensive definition of discrimination against women. The Committee called upon Cuba to adopt a comprehensive legal definition of all forms of discrimination against women, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, covering both direct and indirect discrimination.[79]

54. The Committee noted the high level of participation of women in political and public life and welcomed the high representation of women in the parliament (48.9 per cent in 2013) and the increased representation of women in government bodies. It was, however, concerned that Cuba had not adopted a gender equality law on political and public participation and that women continued to be underrepresented in economic sectors. It recommended that Cuba further strengthen its legislation to ensure gender parity at all levels of political and public life, increase the number of women in decision-making positions at all levels and in all areas, and accelerate women's full and equal participation in public and political life, particularly with respect to women with disabilities, women of African descent and rural women.[80]

55. In follow-up to its 2013 concluding observations, in 2016 the Committee acknowledged the additional information provided by Cuba on the design, functions and mandate of the Federation of Cuban Women. However, it noted that Cuba had not yet established distinct State machinery for the advancement of women, given that the Federation, which had been designed for that purpose, had the status of a non-governmental organization. It recommended that Cuba provide, in its ninth periodic report, information on further action taken to establish such State machinery and to enhance coordination between the Federation and government agencies.[81]

56. In 2016, the Committee welcomed the National Action Plan for Follow-up to the Fourth World Conference on Women, but noted that it did not take into account important articles of the Convention or violence against women. The Committee recommended that Cuba provide, in its ninth periodic report, information on further action taken to amend the Action Plan in order to ensure that it was comprehensive and fully in line with the Convention, and to guarantee regular assessment of the Action Plan.[82]

57. The Committee recommended that Cuba take all necessary measures to improve the situation of women of African descent, elderly women, rural women and women with disabilities, thereby eliminating their vulnerability to exploitation and improving their access to health-care services, social benefits, and public and political participation. The Committee also recommended establishing mechanisms to regularly monitor the impact of social and economic policies on disadvantaged groups of women.[83]

58. The Committee was concerned at the persistence of violence against women, including domestic violence. It was also concerned at the absence of specific legislation on violence against women criminalizing all its forms, and the lack in existing legislation of a specific definition of domestic violence as a criminal offence that covered both psychological and physical violence. The Committee urged Cuba to adopt a comprehensive law on violence against women criminalizing all its forms, to develop a national strategic action plan to prevent all forms of violence against women, protect victims and punish perpetrators, to raise public awareness of the issue, through the media, educational programmes and training of public officials, and to provide adequate assistance and protection to women victims of violence.[84]

2. Children[85]

59. The Committee on the Rights of the Child welcomed the appointment of the First Vice-President as the national authority on issues relating to children's rights, but was concerned about the lack of clarity and the duplication of structures with responsibility for

children's rights. It recommended that Cuba designate a single entity capable of providing leadership and effective oversight on the issue.[56]

60. The same Committee noted that in 2014, the Ministry of Foreign Trade and Foreign Investment had launched the coordination process for developing a national plan for children for the period 2015–2030. The Committee recommended that Cuba promptly adopt the plan.[57]

61. The Committee also noted that the earliest that Cuban citizens could be recruited into the armed forces voluntarily was the year of their seventeenth birthday. It encouraged Cuba to set 18 years as the minimum age for recruitment into the armed forces, without exception.[58] It also recommended that Cuba explicitly prohibit and criminalize the recruitment and use of children under the age of 18 in hostilities by armed forces, non-State armed groups and security companies, and that it define and punish the recruitment of children under the age of 15 as a war crime.[59]

3. Migrants, refugees, asylum seekers and internally displaced persons[60]

62. UNHCR noted that Cuba did not have a national status determination mechanism or legislation in line with universal refugee instruments. UNHCR mandate recognition therefore constituted the only possibility for accessing international protection. Cuba did, nonetheless, observe the non-refoulement principle and offered de facto temporary protection to refugees recognized under the UNHCR mandate. However, although national migration legislation included the term "refugee" as a sub-classification of the "temporary resident" category, recognition of refugee status under the UNHCR mandate did not lead to the State granting migratory status.[61]

63. UNHCR indicated that, of the 323 persons in Cuba recognized as refugees under the UNHCR mandate as at 31 March 2017, 121 had no legal status after their tourist visas had expired, hindering their access to basic services, apart from health and education, and limiting their access to the right to work. UNHCR recommended that Cuba grant temporary residency status to those refugees under the sub-classification of refugees set forth in the national migration legislation.[62]

64. UNHCR noted that another 175 refugees under the UNHCR mandate were young adult students on government scholarships. It appreciated the educational opportunities the Government of Cuba offered refugees by granting scholarships and other forms of schooling, as well as the enactment of a legal provision to guarantee access to free health services to all refugees and asylum seekers.[63]

65. UNHCR stated that when a non-citizen in detention contacted it to submit an application for refugee status, UNHCR was granted access to the person, who was subsequently released. However, the immigration authorities did not have mechanisms or regulations to identify potential asylum seekers and did not refer cases to UNHCR. It recommended that Cuba establish official identification and referral mechanisms for persons in need of international protection, with the assistance of UNHCR.[64] UNHCR also recommended that Cuba establish legal or administrative rules or procedures conducive to the full respect of the non-refoulement principle and the protection of non-citizens, including migrants, who were at risk of torture in their country of origin or who fell under any other relevant category established in international instruments ratified by Cuba.[65]

66. UNHCR indicated that a slow but steady process of migratory reforms continued in law and in policy, notably the suppression of exit permits, the extension from 11 to 24 months of the period for private travel abroad for Cubans keeping their permanent resident status, and the establishment of legal procedures for nationals considered as émigrés to apply for repatriation.[66]

4. Stateless persons

67. UNHCR indicated that stateless persons in Cuba were treated like other non-citizens, in law and in practice. Application of the *jus soli* principle guaranteed that all children born on Cuban soil were considered Cuban citizens.[67]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Cuba will be available at www.ohchr.org/EN/Countries/LACRegion/Pages/CUIndex.aspx.
[2] For the relevant recommendations, see A/HRC/24/16, paras. 170.1–170.7, 170.9–170.14, 170.98–170.99, 170.101–170.113 and 170.141.
[3] See CEDAW/C/CUB/CO/7-8, para. 5.
[4] Ibid., para. 47. See also CED/C/CUB/CO/1, para. 4; www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21893&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21518&LangID=E.
[5] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21518&LangID=E.
[6] See CRC/C/OPAC/CUB/CO/1, paras. 27 (b) and 33, and CRC/C/OPSC/CUB/CO/1, para. 40.
[7] See CEDAW/C/CUB/CO/7-8, para. 43.
[8] See CED/C/CUB/CO/1, paras. 8 and 30.
[9] UNHCR submission for the universal periodic review of Cuba, pp. 4–5.
[10] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21518&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21891&LangID=E. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21688&LangID=E.
[11] OHCHR, "Funding", in *2013 OHCHR Report*, pp. 131 and 141, and in *2016 OHCHR Report*, pp. 79 and 89.
[12] For the relevant recommendations, see A/HRC/24/16, paras. 170.15–170.23, 170.26–170.33, 170.37, 170.41, 170.47, 170.50–170.52, 170.62 and 170.87.
[13] See CED/C/CUB/CO/1, paras. 9–10.
[14] See CEDAW/C/CUB/CO/7-8, paras. 14–15 (b), CRC/C/OPAC/CUB/CO/1, paras. 11–12, and CRC/C/OPSC/CUB/CO/1, paras. 15–16.
[15] For the relevant recommendations, see A/HRC/24/16, paras. 170.114–170.115, 170.119 and 170.130–170.133.
[16] See CEDAW/C/CUB/CO/7-8, paras. 21–23 (a).
[17] See letter dated 30 August 2013 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Representative of Cuba to the United Nations Office and other international organizations in Geneva, pp. 1–2. Available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CUB/INT_CERD_FUL_CUB_15703_S.pdf. See also CERD/C/CUB/CO/14-18/Add.1, paras. 1–21.
[18] For the relevant recommendations, see A/HRC/24/16, paras. 170.36, 170.38, 170.42–170.46, 170.59, 170.64–170.86, 170.100, 170.147, 170.208, 170.214, 170.216 and 170.220.
[19] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21893&LangID=E.
[20] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21891&LangID=E. See also www.un.org/press/en/2014/sgsm15619.doc.htm.
[21] See www.un.org/apps/news/story.asp?NewsID=51951#.Wi6g3IXibcs.
[22] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15443&LangID=E.
[23] See United Nations country team submission for the universal periodic review of Cuba, para. 15.
[24] A/72/94, p. 142.
[25] See www.un.org/press/en/2017/ga11967.doc.htm, and A/RES/72/4.
[26] See United Nations country team submission, paras. 3–4.
[27] For relevant recommendations, see A/HRC/24/16, paras. 170.48, 170.61, 170.124, 170.129, 170.134–170.137, 170.140, 170.143–170.146, 170.149–170.151, 170.159, 170.163–170.165 and 170.175.
[28] See CED/C/CUB/CO/1, para. 11.
[29] Ibid., paras. 12, 16 and 32–34.
[30] See CED/C/CUB/CO/1, paras. 27–28.
[31] Ibid., paras. 25–26.
[32] Ibid., paras. 29–30. See also CEDAW/C/CUB/CO/7-8, para. 13 (b).
[33] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15439&LangID=E. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15443&LangID=E.
[34] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15470&LangID=E.
[35] See CED/C/CUB/CO/1, para. 6. See also paras. 13–14.
[36] For relevant recommendations, see A/HRC/24/16, paras. 170.138, 170.153–170.162 and 170.283.
[37] See CED/C/CUB/CO/1, paras. 17–18.
[38] See CEDAW/C/CUB/CO/7-8, paras. 12–13 (a) and 14–15 (a). See also para. 24.
[39] See CED/C/CUB/CO/1, paras. 19–20 and 22.
[40] For relevant recommendations, see A/HRC/24/16, paras. 170.62–170.63, 170.139, 170.166–170.168, 170.170–170.171, 170.173, 170.175–170.176, 170.178–170.184, 170.186–170.187, 170.189–170.203.

and 170.230.

41 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15470&LangID=E.

42 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16882&LangID=E. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15470&LangID=E.

43 See https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=3357, https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=3201, A/HRC/33/32 and Corr.1, p. 52; A/HRC/31/79, p. 124; A/HRC/28/85, p. 42; A/HRC/27/72, p. 88; A/HRC/26/21, p. 11; A/HRC/25/74, pp. 13 and 47; A/HRC/WGAD/2017/55; A/HRC/WGAD/2017/12; A/HRC/WGAD/2014/9; and A/HRC/WGAD/2013/17. See also A/HRC/36/31, para. 30.

44 See https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=3357, https://spcommreports.ohchr.org/TMResultsBase/DownLoadFile?gId=66965; HRC/33/32 and Corr.1, p. 52; HRC/28/85, p. 42; HRC/27/72, p. 88; HRC/26/21, p. 11; HRC/25/74, pp. 13 and 47; A/HRC/WGAD/2017/55; A/HRC/WGAD/2017/12; A/HRC/WGAD/2014/9; and A/HRC/WGAD/2013/17.

45 See UNESCO submission for the universal periodic review of Cuba, paras. 4–7 and 14–17.

46 See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298303.

47 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21518&LangID=E.

48 Ibid. See also UNHCR submission, p. 3.

49 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21518&LangID=E.

50 Ibid. See also CRC/C/OPSC/CUB/CO/1, paras. 33–35.

51 See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3187939.

52 See CEDAW/C/CUB/CO/7-8, para. 27.

53 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21519&LangID=E.

54 See CRC/C/OPSC/CUB/CO/1, paras. 22 (c) and 35–36. See also paras. 33–34.

55 Ibid., paras. 23–24 (b).

56 Ibid., paras. 25–26. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21518&LangID=E.

57 See CRC/C/OPSC/CUB/CO/1, paras. 29–30.

58 See CEDAW/C/CUB/CO/7-8, paras. 38–39 (a).

59 Ibid., paras. 38–39 (b).

60 For relevant recommendations, see A/HRC/24/16, paras. 170.93, 170.95, 170.128, 170.205, 170.279–170.280 and 170.284–170.285.

61 See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298299.

62 See CEDAW/C/CUB/CO/7-8, paras. 32–33 (a) and (c). See also www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:P13100_COMMENT_ID:3298307 and www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298303.

63 For relevant recommendations, see A/HRC/24/16, paras. 170.53–170.56, 170.58, 170.94, 170.207, 170.209–170.212, 170.215, 170.217–170.219, 170.221–170.237, 170.253, 170.255–170.258, 170.277–170.278 and 170.290–170.291.

64 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21891&LangID=E.

65 FAO, *2016 América Latina y el Caribe: Panorama de la Seguridad Alimentaria y Nutricional*, pp. 85–86. Available at www.fao.org/3/a-i6747s.pdf.

66 See United Nations country team submission, para. 1.

67 For relevant recommendations, see A/HRC/24/16, paras. 170.88, 170.238–170.252, 170.254 and 170.263.

68 See www.un.org/press/en/2014/sgsm15619.doc.htm. See also CEDAW/C/CUB/CO/7-8, para. 34.

69 See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21891&LangID=E.

70 See CEDAW/C/CUB/CO/7-8, paras. 30–31 (c).

71 Ibid., paras. 34–35.

72 See www.who.int/mediacentre/news/releases/2015/mtct-hiv-cuba/en/.

73 For relevant recommendations, see A/HRC/24/16, paras. 170.57, 170.93, 170.95, 170.148, 170.259–170.276 and 170.286–170.289.

74 See UNESCO submission, para. 10.

75 See CEDAW/C/CUB/CO/7-8, paras. 30–31 (a)–(b).

76 CEPAL, *Panorama Social de América Latina, 2016*, pp. 258–259. Available at www.cepal.org/es/publicaciones/41598-panorama-social-america-latina-2016.

77 See CRC/C/OPAC/CUB/CO/1, paras. 21–22.

78 For relevant recommendations, see A/HRC/24/16, paras. 170.89, 170.116–170.118, 170.120–170.127, 170.129, 170.152 and 170.281.

79 See CEDAW/C/CUB/CO/7-8, paras. 10–11.

[80] Ibid., paras. 6 and 28–29.
[81] See letter dated 13 May 2016 from the Committee on the Elimination of Discrimination against Women to the Permanent Representative of Cuba to the United Nations Office and other international organizations in Geneva, pp. 1–2. Available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CUB/INT_CEDAW_FUL_CUB_23896_E.pdf, and CEDAW/C/CUB/CO/7-8, paras. 16–17 (a). See also CEDAW/C/CUB/CO/7-8/Add.1, paras. 2–21.
[82] See letter dated 13 May 2016 from the Committee on the Elimination of Discrimination against Women to the Permanent Representative of Cuba to the United Nations Office and other international organizations in Geneva, p. 2. See also CEDAW/C/CUB/CO/7-8, paras. 16–17 (b), and CEDAW/C/CUB/CO/7-8/Add.1, paras. 22–30.
[83] See CEDAW/C/CUB/CO/7-8, paras. 36–37 (a)–(b).
[84] Ibid., paras. 24–25 (a)–(d).
[85] For relevant recommendations see A/HRC/24/16, paras. 170.25, 170.89–170.92, 170.169, 170.204 and 170.282.
[86] See CRC/C/OPAC/CUB/CO/1, paras. 9–10, and CRC/C/OPSC/CUB/CO/1, paras. 13–14.
[87] See CRC/C/OPSC/CUB/CO/1, paras. 11–12.
[88] See CRC/C/OPAC/CUB/CO/1, paras. 7–8.
[89] Ibid., para. 27 (a)–(b). See also para. 24.
[90] For the relevant recommendation, see A/HRC/24/16, para. 170.292.
[91] UNHCR submission, pp. 1–2.
[92] Ibid., pp. 1 and 4.
[93] Ibid., pp. 1 and 3.
[94] Ibid., pp. 3–4.
[95] Ibid., p. 4. See also CED/C/CUB/CO/1, paras. 23–24, CERD/C/CUB/CO/14-18/Add.1, paras. 22–27, and the letter dated 30 August 2013 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Representative of Cuba to the United Nations Office and other international organizations in Geneva, p. 2.
[96] UNHCR submission, p. 2.
[97] Ibid., p. 5.